

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

HOFFMANN-LA ROCHE INC.,	:	
Plaintiff,	:	Civil Action No. 07-4417 (SRC) (MAS)
v.	:	Civil Action No. 08-3065 (SRC) (MAS)
APOTEX INC. and APOTEX CORP.,	:	Civil Action No. 08-4053 (SRC) (MAS)
Defendants.	:	(consolidated with 07-4417 for all purposes)
-----	:	ORDER
HOFFMANN-LA ROCHE INC.,	:	
Plaintiff,	:	Civil Action No. 07-4539 (SRC) (MAS)
v.	:	Civil Action No. 07-4540 (SRC) (MAS)
COBALT PHARMACEUTICALS INC.,	:	Civil Action No. 08-4054 (SRC) (MAS)
and COBALT LABORATORIES, INC.,	:	(consolidated with 07-4539 for all purposes)
Defendants.	:	
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CHESLER, U.S.D.J.

This matter having come before the Court on two motions for summary judgment, pursuant to Federal Rule of Civil Procedure 56: 1) the motion for summary judgment of no inequitable conduct as to the ‘814 patent by Plaintiff Hoffman-La Roche Inc. (“Roche”), against Defendants Cobalt Pharmaceuticals Inc. and Cobalt Laboratories, Inc. (collectively, “Cobalt”) and Apotex Inc. and Apotex Corp. (collectively, “Apotex”); and 2) the motion for summary judgment, by Apotex, that the 4,927,814 patent is unenforceable based on inequitable conduct; and the Court having considered the parties’ submissions, and for the reasons stated in the accompanying Opinion,

IT IS on this 30th day of September, 2010

ORDERED that Roche's motions for summary judgment (Docket Entry No. 193 in Civil Action No. 07-4417 and Docket Entry No. 247 in Civil Action No. 07-4539) are **DENIED**; and it is further

ORDERED that Apotex's motion for summary judgment (Docket Entry No. 190 in Civil Action No. 07-4417) is **DENIED**.

s/ Stanley R. Chesler
Stanley R. Chesler, U.S.D.J.